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counterpunch

edited by alexander cockburn and jeffrey st.clair

Finally, Some Vindication: **Poletown Revisited**

By GEORGE CORSETTI

Editor's note: The destruction of Poletown in Detroit in 1981, consequence of a deal between General Motors and Mayor Coleman Young produced a ghastly tragedy for the inhabitants, but also engendered a truly great radical documentary by Detroit's George Corsetti and others. And now, guess what, the Michigan Supreme Court has said it all shouldn't have happened. Here's Corsetti, on capital's blunt instrument, eminent domain, and what it meant in human terms. It also shows Ralph Nader in a fine light. AC.

In 1981 the Michigan Supreme Court approved the forced relocation of 3,500 people in Detroit so General Motors could build a new Cadillac plant. In 2004 the same Court decided they'd made a mistake and overturned the decision.

The Michigan Court reversed its infamous "Poletown" decision and stopped local governments from seizing land for private use, calling the law unconstitutional. The Detroit News cheered the decision saying the Court "overruled one of the worst judicial decisions of modern times," and the Wall Street Journal hailed it as hopefully putting an end to "gross violations of fundamental Constitutional protections." Not likely.

The Michigan decision, *County of Wayne v. Hathcock*, is the latest salvo in the war that goes back to England before the American Revolution when the local sovereign could take a subject's land at will. So with the coming of the Revolutionary War, private property rights became a central issue and got enshrined in a Fifth Amendment prohibition against the taking of private property for public use without just compensation.

An intense conflict soon developed over the states' power of eminent domain that still rages in the courts and editorial pages today. Should government be limited to taking property for a public "use"--to carry out the necessary function of government, like roads and bridges?

Or should it also be allowed to take property for a public "purpose"--that includes projects that may benefit the public, like industrial parks, but that may result in taking land from one private party and giving it to another - the Poletown situation? What about modern day range wars that pit ranchers against government land owners and result in not a little violence?

And as the Poletown situation demonstrates, it is not just a war in an abstract sense. A July 1981 edition of New York's Village Voice pictures a neighborhood resident armed with a

carbine a with revolver tucked in her belt next to a sign warning that thieves and looters would be "shot dead." Americans do tend to take their property rights seriously and Poletown was no exception.

I first went to Poletown in the fall of 1980 to shoot a documentary film, "Poletown Lives!" and ended up getting arrested along with protesters holed up in a church slated for demolition. The film tells the story of Poletown from the perspective of the residents who fought the project. No pseudo "objectivity" here.

As a former legal services lawyer I worked with grass roots groups which always seemed to have to unlearn civics-class notions of how the government really worked or got stuck in the write-a-letter-to-your-congressperson stage. I wanted to document how a struggle evolves, what mistakes are made and what people learn from their experience and hopefully avoid having to reinvent the wheel with each new group or confrontation.

When I heard about the Poletown project I knew there would be a struggle between the community and the powers that be--in this case, the City of Detroit, General Motors, the UAW and the Catholic Archdiocese. These long time residents would not go quietly into the night. And, while it did not look good for the community, it would probably make a good documentary. Someone needed to record this travesty of justice.

The neighborhood, historically Polish immigrants who worked in cigar factories and auto plants, still had a lot of elderly, first and second generation Poles as well as African-Americans, poor whites and recent immigrants. It was an unusual Detroit neighborhood in that it was a tight-knit and racially diverse in what was otherwise a highly segregated city.

The economic setting for the Poletown project was typical for America's rust-belt cities. As capital moved away from the highly unionized, industrial north, Detroit, like most of these cities experienced an economic decline. Some would say a terrible recession from which it has yet to recover. Joblessness and crime were rampant with abandoned factories and houses an increasingly common sight. And adjacent to Poletown was Dodge Main, an empty shell of an auto plant that once teemed with thousands of well paid union workers.

And to make matters worse, General Motors was about to close two auto plants in the city.

The Mayor of Detroit, Coleman Young, decided to take advantage of recently passed legislation that allowed local government to seize property for a public purpose (that old conundrum) and give it to a private party--in this case, one of the most powerful corporations in the world, General Motors, for a new auto plant. It was called the "quick-take" law.

It was a simple enough plan, the City announced it would essentially clear-cut 465 acres of land in the center of the city--some 1,500 homes, 144 businesses, 16 churches, a school and a hospital--some 3,500 were forced out--and turn it over to GM who would build a new Cadillac factory that would employ 6,500 workers.

And as the plan began to be implemented there were minor skirmishes, mostly in the form of meetings of irate neighborhood people, supportive demonstrations by local left groups, letters to the editor, letters to the city council, etc. But like a boulder rolling downhill, the plan kept coming and the residents kept losing.

Then as the project started getting national publicity, Ralph Nader decided to accept the invitation of the Poletown Neighborhood Council and enter the fray on the side of the residents. He sent in five organizers including three lawyers. They stayed at a house in the neighborhood, set up shop in the basement of the Immaculate Conception church and installed three phone lines. They started putting in twelve hour shifts, seven days a week, gathering information, writing letters, stuffing envelopes, generating press releases, calling press conferences and generally putting pressure on local officials to respond to the community. They also brought in an architecture consultant who determined that the neighborhood could be spared the wrecking ball by eliminating a green area around a flat parking lot and creating a parking structure for auto workers cars. The plant and most of the community could co-exist, they said.

They also found a local attorney, Ron Reosti, who started a lawsuit, Poletown Neighborhood Council versus the City of Detroit and got the Michigan Supreme Court to issue an injunction temporarily halting demolition. It looked like the neighborhood, with the help of Ralph Nader and the team of organizers, might win this fight after all.

The Nader lawyer said the law was unconstitutional. But the City argued that destruction of Poletown and the transfer of property to GM served a public purpose because it would alleviate unemployment and revitalize the economy and therefore the quick take was constitutionally acceptable. The Supreme Court agreed and ruled against the Poletown residents and lifted the injunction. The community was devastated.

Demolition resumed in earnest with the city more determined than ever to crush the rebellion of protesting homeowners. It took on the dimensions of psychological warfare. Renters who were offered relocation money, took the few thousand dollars offered and left. They had no incentive to stay and continue the fight. The city move quickly in shutting off the water at the now vacant rental houses and painted a large blue "X" on the front of the house. This was a defacto signal for looters to move in and strip a house - sinks, doors, wiring, radiators, furnaces, aluminum siding--anything of value was soon gone.

The coup de grace was the arson. As it turned out, it was a lot easier to demolish a house that had been burned than if it was a solid structure. So the stripped down houses were often burned by arsonists before demolition. The night air was always smoke- filled and people slept with guns nearby. City services became almost non existent. There was virtually no trash pickup, no police presence and before long the once quiet neighborhood was a jumble of looters and demolition crews during the day and arsonists and fire trucks by night.

With no legal way to save the neighborhood after the Supreme Court decision, Nader and his team of organizers withdrew. With each passing day the people fighting for the neighborhood had increasingly less neighborhood to fight for and the focus shifted to trying to save the Immaculate Conception church. The parish priest, Father Joseph Karasiewicz had fought valiantly with the neighbors and parishioners but the Catholic Archdiocese sold his church and told him to leave. After Karasiewicz left, protesters began taking turns keeping a round the clock vigil at the church.

On Bastille day, July 14 1981, the police assembled an armada of forces and at daybreak began to seal off the neighborhood preparing to evict those occupying the church. Sympathetic police had alerted the protesters in the church the night before and I got there in the early morning hours just before the roads were closed off by police The cameraperson, Richard Wieske, hadn't gotten through the police lines in time so we couldn't

videotape the police siege of the church. We were later able to piece together the scene with audiotape from a boom box and still photos supplied by Taro Yamasaki a Detroit Free Press photographer who had also been called and made his way to the church. With the doors bolted shut the protesters rang the church bells but by this time there were few residents left to awaken. The police pulled the church doors open with a tow truck and ordered everyone to leave. No one left.

As the only lawyer in the group I tried talking to the attorney from the City's law department who had arrived with the police. Sitting across from him in a pew I argued that since we had originally entered the church legally we were not trespassers and could not be arrested or evicted without a court order. But the police were in no mood for this discussion.

The police commander stepped into the middle of the legal conversation, lifted me out of the pew and into the waiting arms of the dozen other police in the basement who handcuffed me took me out to the paddy wagon. So much for the niceties of property law. Soon I was joined by a dozen other arrested protesters and taken to jail. Included in the group were a half dozen little old Polish ladies who also refused to leave the church. Later, at the police station, the city attorneys told the older women that they were no longer under arrest and that they could leave. But they refused to go until everyone was freed and eventually everyone was released.

That very same day everything was moved out of the church and it was totally demolished. A few months later, Father Karasiewicz , the parish priest, who had never been reassigned a new church, died of a heart attack. A few months after that police evicted the last of the Poletown holdouts, John Saber, a longtime resident who had built a wall around his house from neighborhood rubble and brandished a rifle, vowed never to leave

Ultimately, all 465 acres of Poletown was cleared and GM built the plant. The auto plant opening was delayed a year and employed less than half the promised 6,500 workers. By one account more jobs were lost from the destruction of Poletown than were created by the factory. The city also believed that the new plant would attract other, feeder plants, nearby. They never materialized, and with tax abatements and other incentives, it was a fiscal disaster for the city.

After Poletown the City of Detroit built still another plant employing the same, now-unconstitutional, quick-take law. This time it was a Jeep plant for Chrysler corporation. This time they withdrew city services months before they even announced the project. And when they did, most people were anxious to leave. They forcibly evicted fewer residents and did not demolish a Greek orthodox church within the project area when parishioners objected..

The Supreme court's Poletown decision, however, served as precedent for a number of state and federal courts as well as state legislatures who approved similar laws all over the country, broadening the concept of eminent domain. Many of these new laws are no doubt well intentioned as was the Poletown quick-take law whose purpose was to "alleviate unemployment and revitalize the economy." These laws sound good, but they invariably resulted in property being taken from working class people to be given to large corporations or developers rather than the other way around. The underlying problem is that business interests control so much of our government that we cannot rely on our representatives to protect our interests regardless of how good the law sounds. Lawmakers respond to campaign donations not to constituents.

And while the editors of the Wall Street Journal hope that the new Poletown decision will put an end the expansive view of eminent domain this doesn't seem likely absent a US Supreme Court decision on the issue. There is simply too much money to be made by politically connected developers and too many corrupt, self-serving local politicians and legislators.

With virtually no funding beyond neighborhood people, the film, "Poletown Lives!," took another year or so to finish. It had its critics. The local Communist Party panned it because of references to Poland. And the film was viewed extensively by Michael Moore before he did his first film, "Roger and Me". Michael found it "lacking in humor." And so it is.

"Poletown Lives!" went on to win more than a few awards at film festivals including a blue ribbon at the American Film Festival in New York. It is still used by most every major university in the country in courses on property law, business ethics, anthropology, sociology, urban planning and social work to name just a few. It succeeded beyond our wildest dreams.

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"Poletown Lives!" was created by George Corsetti, Jeanie Wylie and Richard Wieske. It is available in 16 mm and vhs, from Information Factory, 3512 Courville, Detroit MI 48224 313 885-4685